

Remarks

This Amendment is responsive to the Final Office Action of **June 22, 2005**. Reexamination and reconsideration of **claims 1, 4, 6-11 and 14-19** is respectfully requested.

Summary of The Office Action

Claims 1-4 and 11, 13-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Keyworth, II et al. (U.S. Patent No. 5,579,472).

Claims 5-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keyworth, II et al. (U.S. Patent No. 5,579,472) and in view of Johnston, Jr. et al. (U.S. Patent No. 6,104,391).

Claims 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keyworth, II et al. (U.S. Patent No. 5,579,472) and in view of Kelsey et al. (U.S. Patent No. 6,330,676 B1).

Informality in the Specification

The specification has been amended to correct an informality found in the specification. In particular, in paragraph [0020], Internet should be indicated by reference character 26, not 16. Applicant believes the scope of the specification has not been changed since the amendment relates generally to making cosmetic changes. No new matter has been added.

The Present Claims Patently Distinguish Over the References of Record

Independent Claim 1

Claim 1 is directed to a system for facilitating message notification for an electronic communication device. **Claim 1** was amended with the language of dependent claims 2, 3, and 5. Thus, no new matter has been added and no new search should be required. The amendment clarifies that each individual message is shown in a notification band that is visually distinct for

each of the individual users. The amendment further clarifies that the second means includes means for converting the individual messages into text messages and scrolling the text messages in the visually distinct notification bands using text characteristics that are visually distinct for each intended recipient of the individual messages. Claims 2, 3, and 5 have now been cancelled.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Keyworth, II et al. (U.S. Patent No. 5,579,472) (hereinafter “Keyworth”). Keyworth discloses a group-oriented communications user interface that is different than the message notification system of Applicant. As shown in FIG. 3, Keyworth’s system uses a VIP gallery 50 for identifying each user of the system. Each user is identified by using a specific image 50a and user title 50d. Each individualized block includes a status indicator box 50e that identifies the status of the messages sent to such user such as the number of new or old message (col. 4, lines 43-51). Present claim 1, on the other hand, is a less complicated system. As shown in FIG. 1 of the present specification, Applicant uses a single message notification display 22 that includes personalized message notification bands 24 that scroll the text of the messages in personalized text. Each user, therefore, can immediately identify a message as their message based solely on the appearance of the message itself.

Keyworth does not display the messages of users but only displays the number of messages and a new or old status, which may be in color. Furthermore in Keyworth, the number of messages and message status (box 50e) is separated from each user.

Another distinction is that in order for a user in Keyworth to review his or her message, that user must take some action. As disclosed in column 6, lines 53-57, the user must position his or her cursor on and actuate the pointing device command key upon the status indicator boxes 50e to access his or her messages. Thus, the messages are pre-sorted for users and not visible until a different screen is displayed. Alternatively, the user in the Applicant’s system merely needs to review the screen and identify his or her own uniquely designed message notification band and scrolling text (see Figure 1 of the present application). The Applicant, therefore, has eliminated a step and has created a more efficient system than Keyworth.

More specifically, Keyworth does not teach or suggest means for converting the individual messages into text messages and scrolling the text messages in the visually distinct

notification bands using text characteristics that are visually distinct for each intended recipient of the individual messages, as required by amended **claim 1**. As clearly shown in FIG. 3 and as disclosed in column 4, lines 34-66, Keyworth does not scroll the text messages in visually distinct notification bands. The Office Action suggests that the status indicator box 50e is a distinct notification band. However, Keyworth merely “employs color coding to alert the subscriber, at a glance, of the current status of incoming and outgoing messages.” (see column 4, lines 43-45). Therefore, such indicator boxes identify the status of the message, i.e., new or old. They are not visually distinct for each of the individual users. Instead, each of the individual users of Keyworth would have the same color status indicator to indicate a particular status of the message, e.g., pink being new.

Additionally, such indicator boxes do not scroll text, see FIG. 3. They only indicate the status of messages (see column 4, lines 43-45). In order to review the text of the messages in Keyworth a user must position his or her cursor on and actuate the pointing device command key upon the status indicator boxes (see column 6, lines 53-57). Keyworth, therefore, does not scroll the text messages in visually distinct notification bands.

Finally, Keyworth fails to teach or suggest using text characteristics that are visually distinct for each intended recipient of the individual messages. As shown in FIG. 3 of Keyworth, the text used for the messages for each VIP is identical. This can also be seen in FIG. 10 were the text for each user is also identical. Furthermore as seen in Figures 6 and 7, Keyworth displays messages for a signal user only after the user activates their image icon from Figure 3 (e.g. icon for Dr. Mandelbrat). Thus, the messages do not need to be distinguished from other users since the screen only displays messages from a single user. Keyworth, therefore, does not use notification bands and visually distinct text characteristics for each intended recipient as required by Applicant’s amended claim 1.

Keyworth, therefore, does not disclose each and every element of claim 1. Since claim 1 recites features not disclosed by the reference, claim 1 patentably distinguishes over the reference. Accordingly, dependent **claim 4** also patentably distinguishes over the reference and is in condition for allowance. Please note that **claim 4** has been amended to correct the dependency thereof.

Independent Claim 11

Claim 11 is directed to a modular convergence device that efficiently notifies multiple users of pending messages. **Claim 11** has been amended to clarify the second means for displaying message notification bands and the third means for displaying content of said messages in said message notification bands. The amendment further adds the fourth means for customizing characteristics of text of said messages according to color graphic pattern, personalized for each of said multiple users. The limitations of claim 13 were included into amended **claim 11**. Accordingly, claim 13 has been canceled and no new matter has been added by means of this amendment.

Claim 11 was rejected under 35 U.S.C. § 102(b) as being anticipated by Keyworth. Keyworth, however, does not disclose the fourth means for customizing characteristics of text of the messages according color graphic pattern, personalized for each of the multiple users. As previously argued, the text used for the messages for each VIP in Keyworth is identical. Therefore, in Keyworth there is no way for each message to have customized text according to color graphic pattern, personalized for each of the users. Keyworth, therefore, does not disclose each and every element of claim 11.

Since claim 11 recites features not taught or suggested by the reference, claim 11 patentably distinguishes over the reference.

Independent Claim 14

Claim 14 is directed to a system for facilitating message notification for an electronic communications device. Claim 14 has been amended to clarify that each notification band uses different colors and graphics for different individual users. Claim 14 was further amended to clarify that each of the individual messages scrolls in the notification band having text characteristics that are visually distinct for each different individual user.

Claim 14 was rejected under 35 U.S.C. § 102(b) as being anticipated by Keyworth. Keyworth, however, fails to disclose each of the notification bands using different colors and graphics for different individual users to visually distinguish individual messages. Keyworth uses individual icons 50a to solely identify the user (see FIG. 3 and column 4, lines 24-30). Keyworth does not visually distinguish individual messages as claimed. The icons 50a are not used as message notification bands. Arguably the status indicator boxes 50e could be considered notification bands. The status indicator boxes of Keyworth, however, do not use different colors and graphics for different individual users. According to column 4, lines 43-45, the status indicator boxes 50e of each user uses the same colors to identify a particular status, e.g., pink being new. More precisely, Keyworth uses color boxes to show how many “NEW” or “OLD” messages a particular VIP has. Therefore, in Keyworth all users would have a pink background to show how many new messages he or she has received.

Finally, as previously argued Keyworth fails to teach or suggest each of said individual message scrolling in said notification bands having text characteristics that are visually distinct for each of said individual users. Since claim 14 recites features not taught or suggested by the reference, claim 14 patentably distinguishes over the reference and is in condition for allowance.

Independent Claim 15

Claim 15 is directed to a method for facilitating message notification for an electronic communication device. Claim 15 has been amended to clarify that the method comprises displaying each of the individual messages in a notification band that is visually distinct for each of the individual users. Claim 15 was further amended to clarify scrolling the text messages in the notification bands using text characteristics that are visually distinct for each of the various individual users.

Claim 15 was rejected under 35 U.S.C. § 102(b) as being anticipated by Keyworth. As previously argued, Keyworth fails to teach or suggest displaying each of the individual messages in a notification band that is visually distinct for each of the individual users. Keyworth additionally fails to teach or suggest scrolling the text messages in the notification bands using text characteristics that are visually distinct for each of the various individual users.

Since claim 15 recites features not taught or suggested by the reference, claim 15 patentably distinguishes over the reference and is in condition for allowance.

103(a) Rejections

Claims 5-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keyworth and in view of Johnston, Jr. et al. (U.S. Patent No. 6,104,391). However, as claims 5-7 depend indirectly from claim 1, but add additional limitations thereto, the arguments above regarding claim 1 apply equally to claims 6-7. Keyworth does not individualize the text of the messages received based upon the recipient of the message. Accordingly, claims 6-7 patentably distinguish over Keyworth in view of Johnston. Please note that claim 5 was cancelled above and that claims 6-7 were amended to correct dependencies thereof.

Claims 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keyworth and in view of Kelsey et al (U.S. Patent No. 6,330,676). However, as claims 8-10 depend indirectly from claim 1, but add additional limitations thereto, the arguments above regarding claim 1 apply equally to claims 8-10. Keyworth does not individualize the text of the messages received based upon the recipient of the message. Accordingly, claims 8-10 patentably distinguish over Keyworth in view of Kelsey. Please note that claim 8 was amended to correct the dependency thereof.

New Claims

Applicant has added dependent claims 16-19. No new matter has been added by means of these additional claims. Support for such claims can clearly be found in the specification on page 8, lines 1-10. As claims 16-19 depend directly and indirectly from claims 14 and 15, Applicant submits that claims 16-19 are allowable over Keyworth, Johnston, and Kelsey. Applicant, therefore, respectfully requests allowance of claims 16-19.

Conclusion

For the reasons set forth above, **claims 1, 4, 6-11 and 14-19** patentably and unobviously distinguish over the references of record and are now in condition for allowance. An early allowance of all claims is earnestly solicited.

Respectfully submitted,

19-Aug-2005


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